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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,379	10/26/2001	George Marmaropoulos	US010544	4689

7590 03/26/2003

Corporate Patent Counsel
U.S. Philips Corporation
580 White Plains Road
Tarrytown, NY 10591

EXAMINER

LA, ANH V

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 03/26/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/043,379

Applicant(s)

Marmaropoulos George

Examiner

Anh La

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

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DETAILED ACTION

1. Claim 1 is objected to because in claim 1, line 7, the phrase "a signaling device" should be changed to --the signaling device--.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Giannini.

Regarding claim 1, Giannini discloses a portable signal activator comprising a wearable garment 10 having a body structure, a pressure-sensitive electrical activator switch 16-26 mounted to the body structure of the garment and capable of activating a signaling device 36, 38, 40, and a connection means extending from the electrical activator switch to serve as a coupling to the signaling device (see figures 1-3).

Regarding claim 7, Giannini discloses a method for permitting a person to activate a portable signaling device 36, 38, 40, conveniently, the method comprising the steps of coupling a pressure-sensitive activator switch 16-26 to the signaling device, mounting the signaling device and the switch to a wearable garment, dressing the person in the wearable garment, and positioning the switch on the garment within easy reach of the person wearing the garment (see figure 1).

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Regarding claims 2 and 8, Giannini discloses the body structure of the garment including at least a portion formed of two layers of material (column 1, lines 5-13, fig. 4-6).

Regarding claim 3, Giannini discloses the activator switch being enclosed between the two layers (see fig. 5-6).

Regarding claims 4 and 10, Giannini discloses the two layers of material defining a moisture-resistant enclosure for the activator switch (col. 4, lines 52-67).

Regarding claims 5 and 9, Giannini discloses indicia on the outer surface of the garment (see fig. 1).

Regarding claim 6, Giannini discloses receptacles on the outer surface of the garment configured for engaging and supporting units ancillary to transmitting electronic signals (see fig. 1).

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Leonard discloses a garment with fastener alarm.

Jackman discloses a wearable system.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner La whose telephone number is (703) 305-3967. The examiner can normally be reached on Monday--Friday from 7:30 AM to 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, Daniel J. Wu, can be reached at (703)-308-6730. The fax phone number for this Group is (703) 872-9314.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or Faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



Anh V. La
Primary Examiner
March 22, 2003